

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

SAYLOR R. WHITE,

Plaintiff,

: Case No. 3:21-cv-328

- vs -

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

DAVE DENNIS CHEVROLET, et al.,

Defendants.

:

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 44) to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that the Complaint is DISMISSED with prejudice as to Defendants the Greene County Court of Common Pleas, the Fairborn Municipal Court, and Judges Stephen Wolaver and Beth Capelli. Because reasonable jurists would not disagree with this conclusion, the Court hereby certifies to the United States Court of Appeals that an appeal would be objectively frivolous and therefore Plaintiff should not be permitted to proceed *in forma pauperis*.

Pursuant to Fed.R.Civ.P. 58, the Clerk shall enter judgment to this effect.

April 13, 2022.

s/Thomas M. Rose
Thomas M. Rose
United States District Judge